



DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) received scope ruling applications, requesting that scope inquiries be conducted to determine whether identified products are covered by the scope of antidumping duty (AD) and/or countervailing duty (CVD) orders and that Commerce issue scope rulings pursuant to those inquiries. In accordance with Commerce's regulations, we are notifying the public of the filing of the scope ruling applications listed below in the month of August 2022.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Terri Monroe, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-1384.

NOTICE OF SCOPE RULING APPLICATIONS:

In accordance with 19 CFR 351.225(d)(3), we are notifying the public of the following scope ruling applications related to AD and CVD orders and findings filed in or around the month of August 2022. This notification includes, for each scope application: (1) identification of the AD and/or CVD orders at issue (19 CFR 351.225(c)(1)); (2) concise public descriptions of the products at issue, including the physical characteristics (including chemical, dimensional and technical characteristics) of the products (19 CFR 351.225(c)(2)(ii)); (3) the countries where the products are produced and the countries from where the products are exported (19 CFR 351.225(c)(2)(i)(B)); (4) the full names of the applicants; and (5) the dates that the scope

applications were filed with Commerce and the name of the ACCESS scope segment where the scope applications can be found.¹ This notice does not include applications which have been rejected and not properly resubmitted. The scope ruling applications listed below are available on Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), at <https://access.trade.gov>.

Scope Ruling Applications

Certain Vertical Shaft Engines Between 99cc and 225c, and Parts Thereof from the People's Republic of China (China) (A-570-124/C-570-125); modified vertical shaft engines;² produced in and exported from China; submitted by Briggs & Stratton, LLC (Briggs & Stratton); August 8, 2022; ACCESS scope segment "Modified Vertical Engines."

Hand Trucks and Certain Parts Thereof from China (A-570-891); L1 Cassette Cart;³ produced in and exported from China; submitted by Carbon, Inc. (Carbon); August 8, 2022; ACCESS scope segment "Carbon, Inc. L1 Cassette Cart."

Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope

¹ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300, 52316 (September 20, 2021) (*Final Rule*) ("It is our expectation that the *Federal Register* list will include, where appropriate, for each scope application the following data: (1) identification of the AD and/or CVD orders at issue; (2) a concise public summary of the product's description, including the physical characteristics (including chemical, dimensional and technical characteristics) of the product; (3) the country(ies) where the product is produced and the country from where the product is exported; (4) the full name of the applicant; and (5) the date that the scope application was filed with Commerce.")

² A spark-ignited, single-cylinder engine with a displacement of 209 cubic centimeters, with a maximum power output of 4.3 kW, and with a modified vertical shaft. The specific engine that is the subject of this application is model number R210-S manufactured in China by Chongqing Rato Technology Co., Ltd. ("Rato"), but with a significant modification. The R210-S has a horizontal crankshaft, but the engine has been modified to include a right angle gearbox that redirects power from a horizontal to a vertical orientation. Put simply, the horizontal crankshaft turns a gear, and that gear then turns a vertical take off shaft. As modified with the gearbox, the shaft comes out of the bottom (rather than from the side) of the engine. The complete engine (including the gearbox) may be referred to as a "modified R210-S" or simply as a modified vertical shaft engine ("MVSE"). Prior to entering the United States, the MVSEs at issue are mounted onto a PowerSmart brand lawn mower, model number DB2321SM, by the Chinese mower producer Zhejiang Dobest Power Tools Co., Ltd. ("Dobest"). The petitioner hypothesizes that if mounted, the MVSEs would enter under HTSUS number 8433.11.0060. If unmounted, the MVSEs would enter within HTSUS item number 8407.90.1010 because they generate under 4.476 kW of power. As stated above, these engines are produced in and exported from China.

³ The L1 Cassette Cart, which is predominately made of steel, has a handle and two horizontal lift forks at the top of a vertical frame. At the base of the frame is a horizontal projecting edge on four wheels (two in the front and two in the rear) that sits 1.22 inches above the ground. The projecting edge does not have a toe plate and is not capable of sliding under a load for purposes of moving the load. The L1 Cassette Cart weighs 137 lbs. It uses mechanical foot pedals assisted by gas springs to lift or lower the upper lift forks, and is rated to lift loads up to 70 lbs. The dimensions of the cart are 29.6 in X 36.7 in X 43.0 in the lowered position and 29.6 in X 36.7 in X 44.8 in the raised position. Produced in and exported from China. Classified under HTSUS 8427.90.0090

ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day – day 31.⁴ Commerce’s practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.⁵ Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the “updated” 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the “updated” 30th day.⁶

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at https://access.trade.gov/help/Scope_Ruling_Guidance.pdf. Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry and be added to the public service list for that segment of the proceeding must file an

⁴ In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

⁵ See *Notice of Clarification: Application of “Next Business Day” Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

⁶ This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4).

Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the anniversary month of the publication of the AD or CVD order in accordance with 19 CFR 351.225(n) and Commerce's procedures.⁷

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to James Maeder, Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to CommerceCLU@trade.gov.

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: September 21, 2022.

James Maeder,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2022-20888 Filed: 9/26/2022 8:45 am; Publication Date: 9/27/2022]

⁷ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021).